

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD JANUARY 13, 2020**
(Approved February 10, 2020)

The Board of Supervisors held its regular monthly meeting on Monday, January 13, 2020. The following Supervisors were present for the meeting: Anthony Duffy, Ray Kolb, W. Atlee Rinehart, Karen Nocella and Michael Albert Moyer. Also present were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. Anthony Duffy called the meeting to order at 7:00 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated that the Board of Supervisors met for an executive session which was held at 6:30 pm. There were discussions regarding a matter of enforcement at 515 Kulp Road, the acquisition of real estate within the Township and also another legal matter concerning the Solicitor's confidential legal opinions to the Board of Supervisors.

1. ORDINANCES

There were no Ordinances brought before the Board.

2. SOLICITOR'S REPORT

Mr. Hosterman stated that at 515 Kulp Road there are two artesian wells that are creating a flow of stormwater that is not being properly handled through adequate stormwater facilities. The Board of Supervisors have been trying to work with the property owner and the well drilling company. An expert for the well drilling company has provided an investigation result saying they need to investigate the situation further. This investigation result was not given in a formal report, it was an email with bullet points. The Township's expert did not agree with all the points raised. Given the extreme amount of time that this has been going on, Mr. Hosterman and Mr. Kraynik's recommendation is to initiate legal action so progress can be made to stem the flow that is causing icy conditions along Harley Road, crumbling of the asphalt and killing of trees. Mr. Moyer made a motion to initiate legal action regarding the artesian wells at 515 Kulp Road. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

3. MINUTES

December 9, 2019, Meeting Minutes

Mr. Rinehart made a motion to accept the December 9, 2019 meeting minutes. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

January 6, 2020, Organizational Meeting Minutes

Mr. Moyer made a motion to accept the January 6, 2020 organizational meeting minutes. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

4. PUBLIC COMMENT

Chad Westfall, 320 Sawmill Road, stated that he spoke with Mr. Kraynik regarding his concerns pertaining to the Halteman Road Bridge project. Mr. Kraynik stated because the bridge project is a County project, he has contacted the County and asked them to reach out to Mr. Westfall. Mr. Westfall stated his concern is that they are planning on putting a guard rail up that wasn't there before right in front of the Halteman Road Bridge and he recently put an entrance onto his property in that area in order to get his equipment in. If they put the guard rail up it will block his ability to get his equipment on his property. Another concern he has is the culvert on Halteman Road between the bridge and Ellis

Woods Road and the steady flow of water. He wanted to know where the water is coming from. Mr. Kolb stated this is a spring that has always been there. He also stated they have replaced the pipe. The last concern he had was about the ability to archery hunt on park property and is anyone allowed to hunt and are there any rules/regulations. Mr. Kolb stated anyone can archery hunt on the open space of the Maack property, there are no rules/regulations except that you cannot have a permanent tree stand, cannot nail anything to the trees and it is archery hunting only.

Gail Brown, 500 Sanatoga Road, would like to ask for permission to ask the Township Engineer questions regarding the Engineer Report. Mr. Duffy stated yes that is fine, during Mr. Flaharty's report.

George Colette, 80 Country Lane, wanted to confirm you are not allowed to burn leaves. Mr. Kolb stated that you cannot burn leaves or grass clippings but can burn sticks.

Residents of Sylvan Drive voiced concerns regarding gun shots in their neighborhood and stated that the police have been out a couple of times. They wanted to know what the Ordinance is for shooting guns. Mr. Duffy stated we do not have a gun shooting ordinance but we do have a noise ordinance. Mr. Hosterman stated that most of the hunting and target shooting laws are State laws for the most part. There is a preemption for hunting and target shooting. As far as target shooting goes, as long as there is some sort of back stop within 15 yards of the target that prevents deflection at a 45-degree angle then the property owners are considered to have a safe target range. Mr. Hosterman stated that a noise ordinance disallowing guns being fired in the Township cannot be adopted. Chief Mossman stated he agrees with what Mr. Hosterman said regarding the State law preempting the ordinances we may or may not be able to enact. There is a lot of room in this Township and there is plenty of room for hunting under State regulations. They don't regulate target shooting like they regulate hunting. Chief Mossman said any time they get phone calls regarding gun shots, as long as they can locate where it is coming from, they check out the situation and make sure target shooting is being done in a safe manner, otherwise there is nothing else they can do about it.

Jeanne Gambone, 1806 E. Cedarville Road, had a house fire last year on March 22, 2019 and have been paying sewer use charges even though they haven't been able to live in the house. She wanted to know if anything can be done. Mr. Kraynik asked if the Township has done anything in the past in this type of situation. Mr. Kolb stated they had someone else in the Township who had a fire and they didn't pay sewer charges until they were back in the house. Mr. Kolb made a motion to direct the Financial Accountant to suspend the sewer charge and apply the appropriate rebate from March 22, 2019 to whenever the pending Certificate of Occupancy is issued. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0. Missy King, 10 Eleanor Drive, asked if they have notified the County regarding not being able to live in the house because the assessment could change. Mrs. King asked Jeanne to call her.

Mr. Rinehart stated that Charles Jacob from Warwick Township has passed away. He would like the Township to send a letter to Warwick Township stating our appreciation for all that Charlie has done. Mr. Rinehart made a motion to recognize Charles Jacob with a letter to Warwick Township. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-06 – A Resolution Recognizing, Acknowledging and Thanking Penny Morton for her Service on the Township Historical Commission

Mr. Duffy presented Penny Morton with a plaque in recognition of her service on the Township Historical Commission.

5. REPORTS

Township Manager's Reports

Consideration of Approval of the Revised Detour Plan for Halteman Road Bridge Project

Mr. Kraynik stated the Halteman Road Bridge is a County bridge. This project has gone out to bid and the expected start date is February 24, 2020 with a completion date at this time of June 3, 2020. Mr. Kolb and Mr. Kraynik went to a preconstruction meeting last week. The detour plan has been revised since the original submission four months ago. Mr. Rinehart made the motion to approve the revised detour plan for the Halteman Road Bridge Project. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Flaharty wanted to discuss the date for the annual stream cleanup which is usually done around Earth Day which is April 22, 2020. The date Mr. Flaharty feels that is best is Saturday, April 18, 2020 due to Easter, Passover and the 5k/10k Run with a rain date of May 2, 2020. This would take place at 10:00 am in the same place as it has been in the past. Mr. Moyer made a motion to approve the annual stream cleanup date of Saturday, April 18, 2020 with a rain date of May 2, 2020. Mr. Rinehart seconded the motion. Mr. Duffy asked for a vote and the motion carried 5-0-0.

Mr. Rinehart asked if the cell tower at Parkerford Baptist Church has fallen through. Mr. Hosterman stated the last time he spoke with counsel for SBA Towers it was on hold, this was approximately nine months or so. Mr. Rinehart also asked about the Parkerford sewage project, Mr. Flaharty stated they would be coordinating with the Township Manager later this month to go over the procedures that they are proposing.

Gail Brown, 500 Sanatoga Road, stated to Mr. Flaharty that according to his report the Fricks Lock Village is to go out to bid in February and that the Historical Commission had one outstanding item that they plan on resolving at their meeting tomorrow night. Gail Brown also stated that the previous Township Manager had given her a timeline for the Fricks Lock Village project back in August of 2018. She is asking Mr. Flaharty for an updated version of the timeline for this work so the Historical Commission can write their article for the newsletter. Gail Brown also stated that in regards to the Fricks Lock Village project they have a DCNR grant for \$400,000 and a match from the County for \$376,200 which has been pending since 2017 and would like this work to go forward. A discussion ensued.

Mr. Rinehart made a motion to approve the reports from various departments and committees. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

6. SUBDIVISIONS AND LAND DEVELOPMENT

There were no Subdivision and Land Development applications brought before the board.

7. ZONING HEARING BOARD APPLICATIONS

Zoning Hearing Board Application 275 – 6 Coventry Greene Lane

Chris Wofford request for special exception for construction of an in-law suite addition. Mr. Hosterman stated this application was approved by the Zoning Hearing Board on December 4, 2019. The original application was reviewed by the Board of Supervisors and it was determined no action needed to be taken. Mr. Hosterman stated he is comfortable with the conditions that were stated in the approval.

8. OTHER BUSINESS

Resolution 2020-05 – A Resolution Authorizing Disposal of 2017 Tax Bills and Paid Receipts

Consideration of approval of Resolution 2020-05. Mr. Moyer made a motion to approve Resolution 2020-05 A Resolution Authorizing Disposal of 2017 Tax Bills and Paid Receipts. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration to Approve a Request for a Waiver for a Land Development Submission for a 120 Square Foot Addition to an Existing Warehouse at 36 Anderson Road

Mr. Kraynik stated that Jim Sarro, the architect for the property owner, has reviewed the situation with Harry Weaver, Code/Zoning Officer. Mr. Sarro stated they installed a new sprinkler system and this addition is to protect the sprinkler system coming into the building. Mr. Hosterman stated he has no objection to waiving land development review. Mr. Moyer made a motion to approve the request for a waiver for a land development submission. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

9. EXONERATIONS

Mrs. Nocella made a motion to approve the exonerations presented. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

10. PAYMENT OF BILLS

Mrs. Nocella made a motion to approve the payment of bills as presented.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	399,180.65
Open Space		515.98
Sewer Operating Fund		17,569.81
Sewer Capital Fund		-
Traffic Impact Fee Fund		690.00
Capital Reserve		-
Highway State Aid Fund		1,966.54
TD Escrow		-
Totals	\$	<u>419,922.98</u>

Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

11. ADJOURNMENT

Mrs. Nocella made a motion to adjourn the monthly meeting at 7:41 pm. Mr. Kolb seconded the motion. Mr. Duffy called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager